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Message Text

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21
ORIGIN EB-07

INFO OCT-01 AF-06 ARA-06 EA-06 EUR-12 NEA-09 IO-10 ISO-00

CIAE-00 COME-00 DODE-00 DOTE-00 FMC-01 INR-07 NSAE-00

CG-00 OFA-01 DLOS-03 SP-02 AID-05 NSC-05 CIEP-01

TRSE-00 SS-15 STR-04 OMB-01 CEA-01 PM-03 H-02 L-02

PA-01 PRS-01 USIA-06 TAR-01 XMB-02 /121 R

DRAFTED BY EB/TT/MA:SVSMITH:BST
APPROVED BY EB/TT/MA:RKBANK
EB/TT:RJWALDMANN
EA/PHL:RTWILLNER
FMC:WJSMITH
---------- 009617
R 022304Z MAY 75
FM SECSTATE WASHDC
TO AMEMBASSY MANILA
INFO AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY CANBERRA
AMEMBASSY COPENHAGEN
AMEMBASSY THE HAGUE
AMEMBASSY LONDON
AMEMBASSY MONROVIA
AMEMBASSY OSLO
AMEMBASSY PANAMA
AMEMBASSY PARIS
AMEMBASSY ROME
AMEMBASSY TOKYO
AMEMBASSY STOCKHOLM
AMEMBASSY HELSINKI
AMEMBASSY ATHENS
USMISSION EC BRUSSELS
USMISSION OECD PARIS

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E.O. 11652:N/A

TAGS: EWWT, RP

SUBJECT:SHIPPING: PHILIPPINE DISCRIMINATORY MEASURES,
PRESIDENTIAL DECREE 667

REFS: A) STATE 61624
B) PANAMA 1857
C) MONROVIA 1557
D) TOKYO 5237
E) BONN 6272
F) BONN 4994
G) ROME 5558
H) OSLO 1499
I) STOCKHOLM 1742
J) MANILA 3996

1. REFTELS (B) THROUGH (I) REPORT THAT ELEVEN MARITIME NATIONS, INCLUDING U.S., HAVE MADE OR INTEND TO MAKE REPRESENTATIONS OF ONE SORT OR ANOTHER TO THE GOP IN OPPOSITION TO PRESIDENTIAL DECREE 667.

2. DEPARTMENT AND FEDERAL MARITIME COMMISSION (FMC) RECEIVING INCREASED PRESSURE FROM U.S. FLAG OPERATORS TO TAKE ACTION ON THIS DISCRIMINATORY GOP MEASURE. THE INDUSTRY IS AWARE WE HAVE ALREADY MADE INITIAL DIPLOMATIC

REPRESENTATION AND IS ANXIOUSLY AWAITING GOP RESPONSE. FAILURE TO RECEIVE INDICATION THAT OUR DIPLOMATIC REPRESENTATIONS ARE RESULTING IN POSITIVE OR AT LEAST FORTHCOMING GOP RESPONSE WILL MOST LIKELY RESULT IN FMC PUBLISHING A PROPOSED "SECTION 19" RULE, PERHAPS AS EARLY AS MAY 8. THE PROPOSED RULE WOULD SEEK TO NEGATE THE EFFECTS OF PD 667, PROBABLY BY REQUIRING THAT AN ADDITIONAL FEE BE PAID TO U.S. TREASURY ON CARGOES RECEIVING BENEFITS OF PD 667. INTERESTED PARTIES WOULD HAVE A FEW WEEKS TO COMMENT ON THE PROPOSED RULE AND COMMENTS COULD INCLUDE REQUESTS FOR POSTPONING ITS LIMITED OFFICIAL USE

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IMPLEMENTATION.

3. ADDITIONALLY, GOP'S PRESIDENTIAL DECREE 667 ADDS FURTHER IMPETUS TO GROWING SUPPORT IN CONGRESS FOR U.S. PROTECTIONIST MEASURES IN RETALIATION FOR FOREIGN ACTIONS, THEREBY UNDERMINING LONG-STANDING DEPARTMENT POLICY OPPOSING DOMESTIC MARITIME PROTECTIONISM.

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4. ACCORDINGLY, UNLESS YOU BELIEVE IT COUNTERPRODUCTIVE, EMBASSY MANILA SHOULD AGAIN APPROACH GOP AUTHORITIES TO EXPRESS OUR CONCERN OVER EFFECT OF PD 667 AND TO INFORM THEM OF LIKELIHOOD OF FMC ACTION PARA 2 ABOVE. REQUEST YOU REPORT GOP REACTION AND YOUR OWN ESTIMATE OF WHAT WE CAN EXPECT ON THIS ISSUE. WOULD ALSO APPRECIATE ANY INFORMATION AVAILABLE ON REPRESENTATIONS BY OTHER GOVERNMENTS AND GOP RESPONSE. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, MARINE TRANSPORTATION, MARITIME LAW, SHIP REGISTRY, TAX RELIEF
Control Number: n/a
Copy: SINGLE
Draft Date: 02 MAY 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE103431
Document Source: CORE
Document Unique ID: 00
Drafter: SVSMITH:BST
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750155-0921
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750584/aaaaczqf.tel
Line Count: 123
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 STATE 61624
Review Action: RELEASED, APPROVED
Review Authority: MorefiRH
Review Comment: n/a
Review Content Flags:
Review Date: 10 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <10 APR 2003 by IzenbeI0>; RELEASED <10 APR 2003 by IzenbeI0>; APPROVED <21 MAY 2003 by MorefiRH>
Review Markings:

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05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: HIPPING: PHILIPPINE DISCRIMINATORY MEASURES, PRESIDENTIAL DECREE 667
TAGS: EWWT, RP
To: MANILA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006